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10/531,146	03/29/2006	Elke Hoehne	2316.2104USWO	4689
23552	7590	07/30/2007	EXAMINER	
MERCHANT & GOULD PC			ANDERSON, GUY G	
P.O. BOX 2903			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402-0903			2883	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/531,146

Applicant(s)

HOEHNE ET AL.

Examiner

Guy G. Anderson

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

- 1.1 In regards to the objection to claim 11, applicant has amended the claim and the objection is withdrawn.
- 1.2 In regards to the rejection of claim 11 under 35 U.S.C. 112, applicant has amended the claim and the rejection is withdrawn.
- 1.3 In regards to the rejection of claim 11 under 35 U.S.C. 103(a), applicants arguments are moot in light of the new grounds of rejection.
- 1.4 In regards to the rejections of claims 12-23 under 35 U.S.C 103(a), applicants arguments are moot in light of the new grounds of rejection.

Response to Amendment

Claim Rejections - 35 USC § 103

- 2.1 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

- 2.2 **Claim 11 is rejected** under 35 U.S.C. 103(a) as being unpatentable over US-5946440 to Puetz in view of US-6909833 to Henschel in further view of US-6201921 to Quesnel.

Regarding Claim 11, Puetz discloses optical fiber cable management device comprising/wherein:

11a) a housing defining a cavity, an opening at which a buffered fiber cable can be input into the housing, and at least one channel through which at least a first optical fiber of the buffered fiber cable can be fed; a first cassette configured to mount within the cavity of the housing, the first cassette being configured to receive and store an excess length of the first optical fiber, the first cassette also being configured to pivot from a first position, in which the first cassette is positioned within the cavity of the housing, to a second position, in which at least a portion of the first

cassette is positioned outside the housing. [Fig. 8-10, #20, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Puetz does not specifically disclose:

11b) the first cassette also being configured to be separated and removed from the housing when arranged in the second position; wherein the excess length of the first optical fiber is sufficiently long to allow the separation and removal of the first cassette from the housing to a remote workstation.

Henschel discloses an optical fiber enclosure system wherein the splice trays/storage cassettes are configured to be removable and have a predetermined amount of slack in order to allow the splice to be removed for servicing. [Fig. 27-28, Col. 9, lines 55-60, Col. 10, lines 38-50.]

Quesnel discloses a fiber optic splice enclosure with a removable drawer that accommodates various splice tray designs and can be easily transported to an environment suitable to perform the required splicing. [Col. 1, lines 10-22.]

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the elements of Quesnel and Henschel with the fiber cassette tray of Puetz in order to provide a removable splice tray that could be taken to remote work locations without disconnecting the fibers.

2.3 **Claims 12-23 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US-5946440 to Puetz in view of US-6909833 to Henschel in further view of US-6201921 to Quesnel. The combination of Puetz, Henschel and Quesnel discloses or makes obvious all of the limitations of the base claims upon which Claims 12-23 depend.

Regarding Claim 12, Puetz discloses a fiber cable management device comprising/wherein:

12) the housing includes a spindle adjacent the cavity, and wherein the first cassette defines a groove having an open end through which the spindle can be inserted into the groove, the groove also having a closed end forming a pivot point with the spindle when the spindle is inserted into the groove. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 13, Puetz discloses a fiber cable management device comprising/wherein:

13) the first cassette is configured to be removed from the housing by moving the first cassette in a direction transverse to the spindle to slide the spindle through the open end of the groove. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 14, Puetz discloses a fiber cable management device comprising/wherein:

14) the first cassette includes a first coupling element at which the first optical fiber can be optically coupled to a second optical fiber. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 15, Puetz discloses a fiber cable management device comprising/wherein:

15) the first coupling element is formed as a splicing unit. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 16, Puetz discloses a fiber cable management device comprising/wherein:

16) the first coupling element is configured to receive first and second plug-in contacts. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 17, Puetz discloses a fiber cable management device comprising/wherein:

17) a second cassette configured to mount within the cavity of the housing, the second cassette having a second coupling element configured to receive and store a wound, excess length of at least a third optical fiber. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 18, Puetz discloses a fiber cable management device comprising/wherein:

18) the second cassette is pivotally mounted to the housing. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

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Regarding Claim 19, Puetz discloses a fiber cable management device comprising/wherein:

19) the second cassette is removably mounted to the housing. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 20, Puetz discloses a fiber cable management device comprising/wherein:

20) the second optical fiber forms the buffered fiber cable with the first optical fiber. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 21, Puetz discloses a fiber cable management device comprising/wherein:

21) the second optical fiber forms a second buffered fiber cable separate from the first buffered fiber cable. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 22, Puetz discloses a fiber cable management device comprising/wherein:

22) a plurality of cassettes configured to mount within the cavity of the housing. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Regarding Claim 23, Puetz discloses a fiber cable management device comprising/wherein:

23) the first cassette includes at least a first guide element defining at least one path for receiving at least the first optical fiber, the path defined by the guide element including a minimum radius of curvature greater than a minimum-permissible bend radius of the first optical fiber. [Fig. 8-10, #20, 120, 170, 176a-c, 180, 194, 198, Fig. 27-35, # 150, 134, 154, 156, 206, 190, 172, 170, Col. 5, lines 48-67, Col. 6, lines 20-40, Col. 8, lines 40-55.]

Conclusion

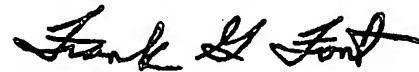
- 3.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guy G. Anderson whose telephone number is 571.272.8045. The examiner can normally be reached on Tuesday-Saturday 0900-2200.

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- 3.2 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 571.272.2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
- 3.3 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.
- 3.4 Date and signature of assistant examiner.



July 21, 2007



Frank G. Font
Supervisory Patent Examiner
Technology Center 2800